

Terrorism Bar to Withholding

INA § 241(b)(3) Restriction on removal to a country where alien's life or freedom would be threatened.

(A) In general

Notwithstanding paragraphs (1) and (2), the Attorney General may not remove an alien to a country if the Attorney General decides that the alien's life or freedom would be threatened in that country because of the alien's race, religion, nationality, membership in a particular social group, or political opinion.

(B) Exception

Subparagraph (A) does not apply to an alien deportable under section 237(a)(4)(D) or if the Attorney General decides that—

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(iv) there are reasonable grounds to believe that the alien is a danger to the security of the United States. . . .

For purposes of clause (iv), an alien who is described in section [237\(a\)\(4\)\(B\)](#) shall be considered to be an alien to whom there are reasonable grounds for regarding as a danger to the United States.

8 C.F.R. § 1208.16. Withholding of removal under section 241(b)(3)(B) of the Act and withholding of removal under the Convention Against Torture.

(d)(2) Mandatory denials. Except as provided in paragraph (d)(3) of this section, an application for withholding of removal under section 241(b)(3) of the Act or under the Convention Against Torture shall be denied if the applicant falls within section 241(b)(3)(B) of the Act or, for applications for withholding of deportation adjudicated in proceedings commenced prior to April 1, 1997, within section 243(h)(2) of the Act as it appeared prior to that date. . . .